

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
	:	
Plaintiff,	:	Civil Action
	:	No. 05-11805-NMG
v.	:	
	:	
RICHARD F. SELDEN,	:	
	:	
Defendant.	:	
----- X		
RICHARD F. SELDEN,	:	
	:	
Plaintiff,	:	Civil Action
	:	No. 06-11807-NMG
v.	:	
	:	
UNITED STATES FOOD AND DRUG	:	
ADMINISTRATION and ANDREW C.	:	
VON ESCHENBACH, in his official	:	
capacity as acting commissioner of the	:	
United States Food and Drug	:	
Administration,	:	
	:	
Defendants.	:	
----- X		

NOTICE OF WITHDRAWAL
OF RICHARD F. SELDEN'S FEBRUARY 19, 2007 MOTION TO COMPEL
FDA DEPOSITIONS AND ALL DOCUMENTS FILED IN SUPPORT THEREOF

Richard F. Selden, by his undersigned counsel, respectfully withdraws his February 19, 2007 Motion to Compel (including all documents filed in support thereof) brought against the U.S. Food and Drug Administration and Andrew C. von Eschenbach, in his official capacity, in light of the parties' subsequent agreement with respect to the subject of the motion. The relevant docket entries for the motion and supporting papers are Docket

Nos. 24 and 25 in Selden v. FDA, Civ. No. 06-11807-NMG (D. Mass.) and Docket Nos. 25 and 26 in S.E.C. v. Selden, Civ. No. 05-11805-NMG (D. Mass.).

Dated: March 21, 2007
Boston, Massachusetts

Respectfully submitted,

/s/ Thomas J. Dougherty
Thomas J. Dougherty (BBO #132300)
Justin J. Daniels (BBO #656118)
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Counsel for Richard F. Selden

CERTIFICATE OF SERVICE

I, Justin J. Daniels, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 21, 2007.

Dated: March 21, 2007

/s/ Justin J. Daniels
Justin J. Daniels